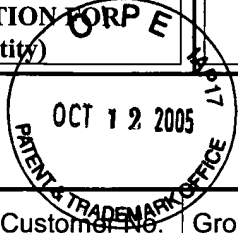


10-14-05

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COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)					Docket No. 353-100	
In Re Application Of: STEPHEN LEROY POLLARD						
Application No. 09/388,069	Filing Date 9/1/1999	Examiner DANG, HUNG XUAN	Customer No. NONE	Group Art Unit 2873	Confirmation No. 3357	
Invention: COMFORT OPTICS VISOR						
<u>COMMISSIONER FOR PATENTS:</u>						
This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>APRIL 14, 2005</u> in the above-identified application. <div style="text-align:center"><i>Date</i></div>						
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated APRIL 14, 2005 finally rejecting Claim(s)						
Applicant(s) hereby request(s) an extension of time of (check desired time period): <div style="display:flex; justify-content:space-between;"><div><input type="checkbox"/> One month</div><div><input type="checkbox"/> Two months</div><div><input checked="" type="checkbox"/> Three months</div><div><input type="checkbox"/> Four months</div><div><input type="checkbox"/> Five months</div></div> <div style="display:flex; justify-content:space-between; margin-top:10px;"><div>from: <u>JULY 14, 2005</u> <div style="text-align:center"><i>Date</i></div></div><div>until: <u>OCTOBER 14, 2005</u> <div style="text-align:center"><i>Date</i></div></div></div>						
The fee for the Notice of Appeal and Extension of Time has been calculated as shown below: <div style="text-align:right; margin-top:10px;">Fee for Notice of Appeal: <u>\$250.00</u> Fee for Extension of Time: <u>\$510.00</u> TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$760.00</u></div>						
The fee for the Notice of Appeal and extension of time is to be paid as follows: <div style="margin-top:10px;"><input type="checkbox"/> A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed. <input checked="" type="checkbox"/> Please charge Deposit Account No. 13-4892 in the amount of \$760.00 <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____ <div style="margin-left:40px; margin-top:5px;"><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 13-4892. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</div></div> <div style="margin-top:10px;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div>						



10/18/2005 BABRAHA1 00000086 134892 09388069
01 FC:2401 250.00 DA
10/18/2005 BABRAHA1 00000086 134892 09388069
02 FC:2253 510.00 DA

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
353-100

In Re Application Of:

STEPHEN LEROY POLLARD

Application No.
09/388,069

Filing Date
9/1/1999

Examiner
DANG, HUNG XUAN

Customer No.
NONE

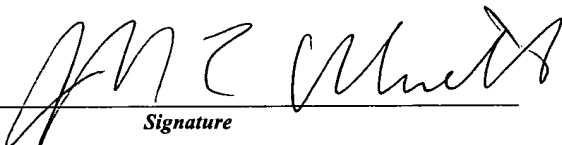
Group Art Unit
2873

Confirmation No.
3357

Invention:
COMFORT OPTICS VISOR

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


Signature

Dated: **OCTOBER 12, 2005**

**JOSEPH E. MUETH, ESQ.
JOSEPH E. MUETH LAW CORPORATION
225 S. LAKE AVENUE, 8TH FLOOR
PASADENA, CALIFORNIA 91101
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

OCTOBER 12, 2005

(Date)


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SALLY SHORE

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CC: